

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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Barbara Stewart,

Plaintiff,

- against -

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Michele Stewart,

19 Civ. 5960 (NRB)

Defendant.

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Michele Stewart,

Counterclaim Plaintiff,

- against -

Barbara Stewart,

Counterclaim Defendant.

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NAOMI REICE BUCHWALD, District Judge:

WHEREAS on June 26, 2019, this case was transferred to the undersigned from the United States District Court for the Western District of New York; and

WHEREAS a joint discovery plan was entered in this case on October 3, 2019; and

WHEREAS the October 3, 2019 joint discovery plan stated, in relevant part, that any party wishing to make a dispositive motion should file a letter conforming to this Court's Individual Rule of Practice 2(B) ("Rule 2(B)"), see ECF No. 39; and

WHEREAS on January 22, 2020, notwithstanding the terms of the joint discovery plan and Rule 2(B), and in violation thereof, counsel

for Barbara Stewart filed a memorandum of law in support of a motion to dismiss defendant and counterclaim plaintiff Michele Stewart's counterclaims, see ECF No. 43; it is hereby

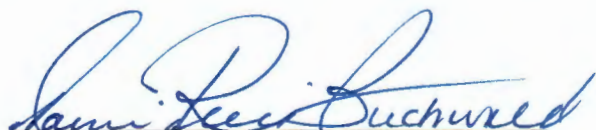
ORDERED that, within one week of today's date, counsel for Barbara Stewart withdraw her motion to dismiss and file in its stead a letter conforming to Rule 2(B); and it is further

ORDERED that, consistent with Rule 2(B), counsel for Michele Stewart submit a response to that letter within three days of its receipt; and it is further

ORDERED that, within one week of today's date, the parties separately file letters setting forth a numbered list of any discovery issues that remain unresolved after the parties have "in good faith conferred or attempted to confer with the person or party failing to make disclosure or discovery in an effort to obtain it without court action," Fed. R. Civ. P. 37(a)(1); and it is further

ORDERED that, within two weeks of today's date, each party file a response setting forth, in the same numbered format, its position as to the outstanding discovery issues identified by the opposing party.

Dated: New York, New York
January 30, 2020


NAOMI REICE BUCHWALD
UNITED STATES DISTRICT JUDGE